

**MEMO ENDORSED**

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U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK  
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October 28, 2021

**BY ELECTRONIC FILING**

Hon. Valerie E. Caproni  
Thurgood Marshall  
United States Courthouse  
Courtroom 443  
40 Foley Square  
New York, NY 10007

Re: Graciela Doncouse v. Ricky Convenience Corp, *et ano*  
Civil Action No. 1:21-cv-05662-VEC  
Joint Letter Motion to Adjourn Conference

Dear Judge Caproni:

My firm represents defendant 224 Eighth Ave. Corporation in the referenced action. We file this letter in compliance with your Honor's Individual Practices in Civil Cases.

Pursuant to your Order dated July 6, 2021 (Doc. 5), an Initial Pretrial Conference ("IPTC") is currently calendared for November 5, 2021 at 10:00 a.m. Plaintiff's counsel and I consent to and respectfully request an adjournment of such IPTC to December 3, 2021 or whatever date thereafter the Court directs.

We make this request because we have met and conferred and begun substantive settlement discussions, and we wish to make a meaningful attempt at settling this matter before taking the Court's time with it. Additionally, it has come to our attention that the Principal of defendant Ricky Convenience Corp. is out of the Country and will not return before the currently scheduled IPTC. There has been no previous request for an adjournment of the IPTC.

Thank you for your consideration of this request.

Respectfully submitted,

/s/ J. David Morrissy

J. David Morrissy

To: All appearing counsel by ECF only

4863-7818-3169, v. 1

The initial pre-trial conference, currently scheduled for Friday, November 5, 2021 at 10:00 AM. is hereby CANCELED. The Court will enter a Case Management Plan by separate order.

Defendants must answer, move, or otherwise respond to the Complaint by no later than **Friday, November 12, 2021**.

If, at any time, the parties would like a referral to the assigned Magistrate Judge or the Court-annexed mediation program, they may submit a joint letter requesting a referral.

SO ORDERED.

A handwritten signature in blue ink, appearing to read "Valerie Caproni", is written over a horizontal line.

Date: October 28, 2021

HON. VALERIE CAPRONI  
UNITED STATES DISTRICT JUDGE